

## LEGISLATIVE HISTORY CHECKLIST

NJSA: 40A:12-21

(Housing corporations-- certain--  
permit municipality to convey land for  
nominal price)

LAWS OF: 1987

CHAPTER: 212

Bill No: A1658

Sponsor(s): McEnroe

Date Introduced: Pre-filed

Committee: Assembly: Municipal Government

Senate: County and Municipal Government

Amended during passage:

Yes

Amendments during passage denoted  
by asterisks.

Date of Passage:

Assembly: October 27, 1986

Senate: June 18, 1987

Date of Approval: July 23, 1987

## Following statements are attached if available:

Sponsor statement:

Yes

(Below)

Committee statement:

Assembly

Yes

Senate

Yes

Fiscal Note:

No

Veto Message:

No

Message on Signing:

No

## Following were printed:

Reports:

No

Hearings:

No

Sponsor's statement:

This bill would permit a municipality to convey land for consideration, which may be nominal, to nonprofit housing corporations or limited-dividend housing corporations or housing associations.

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## ASSEMBLY, No. 1658

## STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Assemblyman McENROE

AN ACT concerning contributions to certain housing corporations or associations and amending P. L. 1971, c. 199 and P. L. 1962, c. 249.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. Section 21 of P. L. 1971, c. 199 (C. 40A:12-21) is amended to  
2 read as follows:

3 21. Private sales to certain organizations upon nominal con-  
4 sideration. When the governing body of any county or munici-  
5 pality shall determine that all or any part of a tract of land, with  
6 or without improvements, owned by the county or municipality,  
7 is not then needed for county or municipal purposes, as the case  
8 may be, said governing body, by resolution or ordinance, may  
9 authorize a private sale and conveyance of the same, or any part  
10 thereof without compliance with any other law governing disposal  
11 of lands by counties and municipalities, for a consideration, which  
12 may be nominal, and containing a limitation that such lands or  
13 buildings shall be used only for the purposes of such organization  
14 or association, and to render such services or to provide such  
15 facilities as may be agreed upon, and not for commercial business,  
16 trade or manufacture, and that if said lands or buildings are not  
17 used in accordance with said limitation, title thereto shall revert  
18 to the county or municipality without any entry or reentry made  
19 thereon on behalf of such county or municipality, to

20 (a) A duly incorporated volunteer fire company or board of fire  
21 commissioners or first aid and emergency or volunteer ambulance  
22 or rescue squad association of a municipality within the county,

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill  
is not enacted and is intended to be omitted in the law.**

**Matter printed in italics thus is new matter.**

**Matter enclosed in asterisks or stars has been adopted as follows:**

**\*—Assembly committee amendments adopted October 20, 1986.**

23 in the case of a county, or of the municipality, in the case of a  
24 municipality, for the construction thereon of a firehouse or fire  
25 school or a first aid and emergency or volunteer ambulance or  
26 rescue squad building or for the use of any existing building for  
27 any or all of said purposes and any such land or building sold to  
28 any duly incorporated volunteer fire company may be leased by  
29 such fire company to any volunteer firemen's association for the  
30 use thereof for fire school purposes for the benefit of the members  
31 of such association, or

32 (b) Any nationally chartered organization or association of  
33 veterans of any war, in which the United States has or shall have  
34 been engaged, by a conveyance for consideration, a part of which  
35 may be an agreement by the organization or association to render  
36 service or to provide facilities for the general public of the county  
37 or municipality, of a kind which the county or municipality may  
38 furnish to its citizens and to the general public, or

39 (c) A duly incorporated nonprofit hospital association for the  
40 construction or maintenance thereon of a general hospital, or

41 (d) Any paraplegic veteran, that is to say, any officer, soldier,  
42 sailor, marine, nurse or other person, regularly enlisted or inducted,  
43 who was or shall have been in the active military or naval forces  
44 of the United States in any war in which the United States was  
45 engaged, and who, at the time he was commissioned, enlisted, in-  
46 ducted, appointed or mustered into such military or naval service,  
47 was a resident of and who continues to reside in this State, who  
48 is suffering from paraplegia and has permanent paralysis of both  
49 legs or the lower parts of the body resulting from injuries sus-  
50 tained through enemy action or accident while in such active mili-  
51 tary or naval service, for the construction of a home to domicile  
52 him, or to any organization or association of veterans, for the  
53 construction of a home or homes to domicile paraplegic veterans,  
54 with powers to convey said lands and premises to the paraplegic  
55 veteran or veterans on whose behalf said organization or associa-  
56-57 tion shall acquire title to said land, or

58 (e) Any duly incorporated nonprofit association or any regional  
59 commission or authority composed of one or more municipalities  
60 or one or more counties for the construction or maintenance  
61 thereon of an animal shelter, or

62 (f) Any duly incorporated nonprofit historical society for the  
63 acquisition of publicly owned historic sites for their restoration,  
64 preservation, improvement and utilization for the benefit of the  
65 general public, or

66 (g) Any duly incorporated nonprofit cemetery organization or  
67 association serving the residents of the municipality or county, or

68 (h) Any duly incorporated nonprofit organization for the prin-  
69 cipal purpose of the education or treatment of persons afflicted with  
70 developmental disabilities including cerebral palsy, or

71 (i) Any county or municipal sewerage authority serving the  
72 residents of the county or municipality, for the use thereof for  
73 sewerage authority purposes, or

73A \*(j) Any duly incorporated nonprofit organization for the pur-  
73B pose of building or rehabilitating residential property for resale.  
73C Any profits from the resale of the property shall be applied by  
73D the nonprofit organization to the costs of acquiring and rehabili-  
73E tating other residential property in need of rehabilitation owned  
73F by the county or municipality【.】, or\*

74 \*【(j)】\* \*(k)\* *Any duly incorporated nonprofit housing corpora-*  
75 *tion or any limited-dividend housing corporation or housing associa-*  
76 *tion organized pursuant to P. L. 1949, c. 184 (C. 55:16-1 et seq.)*  
77 *for the purpose of constructing housing for low or moderate income*  
78 *persons or families or handicapped persons.*

1 2. Section 1 of P. L. 1962, c. 249 (C. 55:16-18.1) is amended to  
2 read as follows:

3 1. The governing body of any municipality in which a project  
4 of a limited-dividend housing corporation or housing association  
5 is located, may, by ordinance, provide for the payment of money  
6 *for the purpose of acquiring land for the project or convey, for*  
7 *consideration, which may be nominal in amount, real or personal*  
8 *property for the project as a subsidy to such limited-dividend*  
9 *housing corporation or housing association 【for the purpose of*  
10 *acquiring land for such project】. Every such ordinance shall specify*  
11 *the amount or amounts of such payments, the time or times they*  
12 *are payable, and the terms and conditions of such payments or the*  
13 *terms of the conveyance, as appropriate.*

1 3. This act shall take effect immediately.

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#### COMMUNITY DEVELOPMENT

Authorizes municipalities to convey real property to nonprofit  
housing corp. or limited-dividend housing corp. for nominal con-  
sideration.

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66 (g) Any duly incorporated nonprofit cemetery organization or  
67 association serving the residents of the municipality or county, or

68 (h) Any duly incorporated nonprofit organization for the prin-  
69 cipal purpose of the education or treatment of persons afflicted with  
70 developmental disabilities including cerebral palsy, or

71 (i) Any county or municipal sewerage authority serving the  
72 residents of the county or municipality, for the use thereof for  
73 sewerage authority purposes, or

74 (j) Any duly incorporated nonprofit housing corporation or any  
75 limited-dividend housing corporation or housing association orga-  
76 nized pursuant to P. L. 1949, c. 184 (C. 55:16-1 et seq.) for the  
77 purpose of constructing housing for low or moderate income per-  
78 sons or families or handicapped persons.

1 2. Section 1 of P. L. 1962, c. 249 (C. 55:16-18.1) is amended to  
2 read as follows:

3 1. The governing body of any municipality in which a project  
4 of a limited-dividend housing corporation or housing association  
5 is located, may, by ordinance, provide for the payment of money  
6 for the purpose of acquiring land for the project or convey, for  
7 consideration, which may be nominal in amount, real or personal  
8 property for the project as a subsidy to such limited-dividend  
9 housing corporation or housing association [for the purpose of  
10 acquiring land for such project]. Every such ordinance shall specify  
11 the amount or amounts of such payments, the time or times they  
12 are payable, and the terms and conditions of such payments or the  
13 terms of the conveyance, as appropriate.

1 3. This act shall take effect immediately.

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#### STATEMENT

This bill would permit a municipality to convey land for con-  
sideration, which may be nominal, to nonprofit housing corpora-  
tions or limited-dividend housing corporations or housing asso-  
ciations.

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ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1658**

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: OCTOBER 20, 1986

The Assembly Municipal Government Committee favorably reports Assembly Bill No. 1658 with Assembly committee amendments.

This bill amends section 21 of P. L. 1971, c. 199 (C. 40A:12-21) concerning private sales by counties or municipalities to certain organizations upon nominal consideration, to include any duly incorporated non-profit housing corporation or any limited-dividend housing corporation or housing association organized pursuant to P. L. 1949, c. 184 (C. 55:16-1 et seq.) for the purpose of constructing housing for low or moderate income persons or families or handicapped persons.

This bill also amends P. L. 1962, c. 249 (C. 55:16-18.1) to allow municipalities to convey, for a nominal amount, real or personal property to a limited-dividend housing corporation or housing association.

The committee amended the bill to conform it to the P. L. 1985, c. 412 amendment to P. L. 1971, c. 199.

This bill was pre-filed for introduction in the 1986 session pending technical review. As reported the bill includes the changes required by technical review.

SENATE COUNTY AND MUNICIPAL GOVERNMENT  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 1658**

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**STATE OF NEW JERSEY**

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DATED: DECEMBER 15, 1986

The Senate County and Municipal Government Committee reports favorably Assembly Bill No. 1658 OCR.

Assembly Bill No. 1658 OCR amends section 21 of P. L. 1971, c. 199 (C. 40A:12-21) concerning private sales by counties or municipalities to certain organizations upon nominal consideration. Specifically, the section is amended to permit private sales to any duly incorporated nonprofit housing corporation or housing association organized pursuant to P. L. 1949, c. 184 (C. 55:16-1 et seq.) for the purpose of constructing housing for low or moderate income persons or families or handicapped persons.

This bill also amends P. L. 1962, c. 249 (C. 55:16-18.1) to allow municipalities to convey, for a normal amount, real or personal property to a limited-dividend housing corporation or housing association.